

Application No. 09/729,888
Amendment Dated March 16, 2004
Reply to Office Action of January 13, 2004

AMENDMENTS TO THE CLAIMS

This listing of claims will replace all prior versions, and listings, of claims in the application:

Listing of Claims:

1 - 8. Previously cancelled.

9. Cancelled.

10. (Currently amended) A pre-surgical altering device according to Claim [9]19, wherein said attachment means comprises an adhesive.

11. (Currently amended) A pre-surgical alerting device according to Claim [9]19, where said strip is perforated to allow oxygen to diffuse to skin which the strip is attached.

12. (Currently amended) A pre-surgical alerting device according to Claim [9]19, wherein said visually perceptible indicator comprises the words "No Cut."

13. (Previously amended) A pre-surgical alerting device according to Claim 10, further comprising peelable backing affixed to said inferior side to cover said adhesive when said device is not in use.

14. (Currently amended) A pre-surgical alerting device according to Claim [9]19, further comprising a companion label suitable for detaching from said strip and for attaching to a patient's medical chart to indicate use of the alerting device.

15. - 18. Previously cancelled.

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19. (New) A method for providing a pre-surgical warning for use on a body having an involved body segment to be involved in a surgical procedure and a plurality of uninvolved body segments which are not to be involved in said surgical procedure, comprising the steps of:

- a. selecting an uninvolved body segment from said plurality of uninvolved body segments to provide a selected uninvolved body segment,
- b. placing a label on said selected uninvolved body segment to provide a labeled selected uninvolved body segment, said label having a superior side and an inferior side,
- c. providing a visually perceptible indicator on said superior side of said label to warn against surgery on said labeled selected uninvolved body segment, and
- d. attaching said inferior side in the vicinity of said labeled selected uninvolved body segment to warn against surgery on said labeled uninvolved body segment in a manner wherein said label is removable after said surgical procedure.

20. (New) A pre-surgical alerting device for use on a body having an involved body segment to be involved in a surgical procedure, comprising:

- a. a first warning label for placing said first warning label on said uninvolved body segment to provide a labeled uninvolved body segment, said first warning label having a visually perceptible indicator to warn against surgery on said labeled uninvolved body segment,
- b. a second warning label corresponding to said first warning label for indicating that said first warning label is placed on said uninvolved body segment, wherein said first and second warning labels are provided with respective corresponding identifying indicia; and

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c. a carrier strip for detachably bearing said first and second warning labels simultaneously wherein said second warning label is removed from said carrier strip and attached to a patient chart.